(37,323)

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1932

No. 626

FIDELITY AND DEPOSIT COMPANY OF MARYLAND, PETITIONER,

vs.

GEORGE C. ARENZ.

ON WRIT OF CERTIORARI TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE NINTH CIRCUIT.

INDEX

	Original	Print
Proceedings in U. S. C. C. A., Ninth Circuit	1	1
Caption (omitted in printing)	1	
Record from D. C. U. S., District of Oregon	1	1
Debtor's petition	1	1
Schedule A-1—Statement of all creditors who are to be paid in full, or to whom priority is secured by law	4	2
Schedule A-2—Creditors holding securities	5	3
Schedule A-3—Creditors whose claims are unsecured	6, 7	4
Schedule A-4—Liabilities on notes or bills discounted which ought to be paid by drawers, makers, acceptors, or indorsers	7	5
Schedule A-5—Accommodation paper	8	6
Oath to Schedule A	9	7
Schedule B-1—List of real estate	10	8
Schedule B-2—Personal property	11	9
Schedule B-3—Choses in action	12	10
Schedule B-4—Property in reversion, remainder or expectancy, including property held in trust for		

JUDD & DETWEILER (INC.), PRINTERS, WASHINGTON, D. C., MARCH 28, 1933

	Original	Print
the debtor or subject to any power or right to dispose of or to charge	13	11
Schedule B-5—A particular statement of the property claimed as exempted from the operation of the Acts of Congress relating to bankruptcy, giving each item of property, and its valuation, and, if any portion of it is real estate, its location, description and present use	14	12
Schedule B-6—Books, papers, deeds and writings relating to bankrupt's business and estate	15	13
Oath to schedule B	16	14
Summary of debts and assets from statement of bankrupt in schedules A and B	17	14
Adjudication of bankruptcy and order of reference	19	15
Bankrupt's petition for discharge	20	16
Proof of debt	22	17
Objections to discharge of bankrupt	26	19
Demurrer to specifications in opposition to discharge	30	21
Record of hearing on demurrer	31	22
Order sustaining demurrer	32	22
Amended specifications in objection to discharge of bankrupt	33	23
Demurrer to specification in opposition to discharge	40	27
Order sustaining demurrer	41	28
Discharge of bankrupt	42	29
Notice of exceptions	43	29
Petition for appeal	44	30
Assignments of error	46	31
Order allowing appeal	48	32
Bond on appeal (omitted in printing)	49	
Citation and service (" " ")	51	
Stipulation as to record	52	33
Clerk's certificate	55	35
Order of submission	59	
Order directing filing of opinion and judgment	60	37
Opinion, Wilbur, J.	60	38
Judgment	70	48
Order staying issuance of mandate	71	49
Application for stay of issuance of mandate	71	49
Clerk's certificate	73	51
Order staying issuance of mandate	74	53
Order allowing certiorari	75	53

[fols. a-1] [Caption omitted]

IN UNITED STATES DISTRICT COURT, DISTRICT OF OREGON

DEBTOR'S PETITION—B 16042

To the Honorable James A. Fee and John McNary, Judges of the District Court of the United States for the — Division, District of Oregon:

The petition of George C. Arenz, of Portland, in the County of Multnomah and District and State of Oregon [fol. 2] (state occupation), contractor respectfully represents:

That I had my principal place of business (or has resided or has had his domicile) — 693 Siskiyou Street, Portland, Oregon, for the greater portion of six months next immediately preceding the filing of this petition at the above address within said judicial District; that I owe debts which I am unable to pay in full; that I am willing to surrender all my property for the benefit of my creditors except such as is exempt by law, and desire to obtain the benefit of the Acts of Congress relating to Bankruptcy.

That the schedule hereto annexed, marked A [1, 2, 3, 4, 5] and verified by your petitioner's oath, contains a full and true statement of all my debts and (so far as it is possible to ascertain) the names and places of residence of my creditors and such further statements concerning said debts as are required by the provisions of said acts.

That the schedule hereto annexed, marked B [1, 2, 3, 4, 5, 6] and verified by your petitioner's oath, contains an accurate inventory of all my property, both real and personal, and such further statements concerning said property as are required by the provisions of said acts.

[That petitioner has not been granted a discharge in Bankruptcy within six years.]*

Wherefore your petitioner prays that I may be adjudged by the Court to be a bankrupt within the purview of said [fol. 3] acts.

Geo. C. Arenz, Petitioner. Arthur H. Lewis, Attorney for Petitioner, 414 Couch Building, Portland, Ore.

Duly sworn to by George C. Arenz. Jurat omitted in printing.

[*Stricken in copy.]

[fol. 4]

SCHEDULE A—Statement of All Debts of Bankrupt

SCHEDULE A-1

Statement of All Creditors Who Are to be Paid in Full or to Whom Priority is Secured by Law

Claims which have priority	Reference to ledger or voucher	Names of creditors	Residences. (If unknown, that fact must be stated.) Give street and number	Where and when contracted	Nature and consideration of the debt, and whether contracted as partner or joint contractor; and, if so, with whom	Amount
						$ Cts.
1 Taxes and debts due and owing to the United States						
2 Taxes due and owing to the State of Oregon Columbia County or to any county, district or municipality thereof		(Wendt's Island)		Approximately		200.00
3 Wages, due workmen, clerks, servants or traveling salesmen, to an amount not exceeding $300 each earned						

within three months before filing the petition.					
4 Other debts having priority by law					
				Total,	200.00

Geo. C. Arenz
Petitioner.

[fol. 5]

SCHEDULE A-2

Creditors Holding Securities

[N. B.—Particulars of securities held, with dates of same, and when they were given, to be stated under the names of the several creditors, and also particulars concerning each debt, as required by Acts of Congress relating to bankruptcy and whether contracted as partner or joint contractor with any other person, and if so, with whom.]

This schedule includes liens, pledges, mortgages, notes, etc.

Reference to ledger or voucher	Names of creditors	Residences. (If unknown that fact must be stated)	Description of securities	When and where debts were contracted	Value of securities		Amount of debts	
					$	Cts.	$	Cts.
	Oregon Contract Company,	516 Guaranty Building, Portland, Oregon	Overdraft for past years 124 shares capital stock of Oregon Contract Company, assigned June, 1930,		3,000	00	12,500	00
						Total,	12,500	00

Geo. C. Arenz
Petitioner.